

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

BRIEAUNA GIBSON,

Plaintiff,

vs.

ANTHONY VALVANO; AMIR BETHEA;
KELLY BURLIAN; DIANNA TORRES;
JOSEPH RIOTTO; FRANCIS
CASCARELLI; SCO F/N/U GREEN AKA
BASKERVILLE; KEVIN PEREZ; SEAN ST.
PAUL; SARAH DAVIS; ROBIN KELLER;
AND JOHN DOES 1 TO 10, ALL
INDIVIDUALLY AND IN THEIR
OFFICIAL CAPACITIES AS NEW JERSEY
DEPARTMENT OF CORRECTIONS
OFFICERS AND/OR EMPLOYEES;
MARCUS HICKS, COMMISSIONER OF
THE STATE OF NEW JERSEY
DEPARTMENT OF CORRECTIONS, IN
HIS OFFICIAL CAPACITY, ONLY,

Defendants.

CASE NO. 3:21-cv-03150-MAS-TJB

Civil Action

**NOTICE OF MOTION TO DISMISS
PLAINTIFF'S THIRD AMENDED
COMPLAINT AS TO DEFENDANT
FRANCIS CASCARELLI**

PLEASE TAKE NOTICE that on June 21, 2022, or as soon thereafter as counsel may be heard, the undersigned counsel for defendant Francis Cascarelli shall move for the entry of an Order granting defendant Cascarelli's Motion to Dismiss Plaintiff's Third Amended Complaint pursuant to Fed. R. Civ. P. 12(b)(6).

In support of this motion, defendant Cascarelli shall rely on the enclosed Letter Brief. Defendant Cascarelli further incorporates by reference the moving papers of codefendants Marcus Hicks and Sarah Davis (ECF No. 57), and codefendants Robin Keller, Joseph Riotto, Diana Torres and Kevin Perez (ECF No. 58). A proposed form of order and certificate of service are also enclosed.

Oral argument is requested if opposition is filed.

PASHMAN STEIN WALDER HAYDEN, PC.

By: s/ Dawn Attwood

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